

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, May 17, 2011, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman Valerie Joh
Vice-Mayor Benjamin K. Mallicote
Alderman Larry A. Munsey

Alderman Tom C. Parham
Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Alderman Jantry Shupe.
- II.B. **INVOCATION:** By Mitch Whisnant, Associate Minister, First Baptist Church.
- III. **ROLL CALL:** By City Recorder Jim Demming. Absent - Alderman Charles K. Marsh, Jr.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. **CITIZEN SERVICE MEDAL AWARD TO EDWARD DAVIDSON** – Deputy Chief David Quillin presented this award to Mr. Davidson, who intervened in a crime in progress to assist a fellow citizen.
 2. **EMPLOYEE DEPENDENT SCHOLARSHIP RECIPIENTS** – Dr. Linda Calvert, Chair of the Board of Directors, presented five scholarships to graduating seniors of Kingsport City employees. Lesley Christian, Health Benefits Administrator also presented the Gold Fit and Friendly Company Award to City Manager Campbell from the American Heart Association.
 3. **KEEP KINGSFORT BEAUTIFUL BEAUTIFICATION AWARDS** – Robin Cleary and Rack Cross, Development Services Coordinator.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Munsey/Shupe, to approve minutes for the following meetings:

- A. May 2, 2011 Regular Work Session
- B. May 3, 2011 Regular Business Meeting

Approved: All present voting "aye."

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VI. COMMUNITY INTEREST ITEMS.

AA. PUBLIC HEARINGS.

1. Public Hearing and Consideration of a Resolution to Amend that Portion of the Plan of Services for the Parker Lane Annexation Area Pertaining to the Provision of Street Lights (AF: 108-2011). City Planner Jason Meredith stated that 24 out of the 27 affected residents signed a petition indicating they did not want street lights. The Planning Commission also sent a unanimous recommendation supporting the residents' decision.

PUBLIC COMMENT ON ITEM VI.AA.1. Mr. Roger Dougherty, 200 Briarfield Drive, stated he initiated this petition and noted that the residents who did not sign were out of state or out of the area. He stated the residents would like to retain the current rural setting. He further stated they felt the column lighting already in place was adequate.

Motion/Second: Joh/Parham, to pass:

Resolution No. 2011-222, A RESOLUTION AMENDING RESOLUTION NO. 2010-024 REGARDING THE PROVISION OF STREET LIGHTS IN THE PLAN OF SERVICES FOR PARKER LANE ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE
Passed: All present voting "aye."

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance to Amend the FY11 General Purpose School Fund (AF: 109-2011).

Motion/Second: Munsey/Shupe, to pass:

AN ORDINANCE TO AMEND THE FY 2010-11 GENERAL PURPOSE SCHOOL FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE
Passed on first reading: All present voting "aye."

2. Consideration of an Ordinance to Amend the FY11 Schools Federal Projects Fund Budget (AF: 110-2011).

Motion/Second: Munsey/Parham, to pass:

AN ORDINANCE TO AMEND THE FY 2011 SCHOOL FEDERAL GRANT PROJECTS FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE
Passed on first reading: All present voting "aye."

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**3. Consideration of an Ordinance to Amend the FY11 Schools
Special Projects Fund Budget (AF: 111-2011).**

Motion/Second: Parham/Munsey, to pass:

AN ORDINANCE TO AMEND THE FY 2011 SCHOOL SPECIAL PROJECTS FUND
BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

**4. Consideration of an Ordinance to Appropriate Grant Funds
Received from the Library Services and Technology Act Grant and Local Match
Funds Received as Donations from the Kingsport Lions Club and the Friends of the
Kingsport Public Library to Purchase Technology Equipment and Devices
(AF: 119-2011). Mayor Phillips noted the City should send a letter to the Lions Club.**

Motion/Second: Parham/Munsey, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECTS-SPECIAL REVENUE FUND
BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE LIBRARY
SERVICES AND TECHNOLOGY ACT FOR THE YEAR ENDING JUNE 30, 2011; AND
TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. None.

D. OTHER BUSINESS.

**1. Consideration of a Resolution Accepting a Contract with the
Tennessee Department of Transportation for Federal and State Transportation
Planning Funds on Behalf of the Kingsport MPO and Authorizing the Mayor to
Sign All Related Documents (AF: 98-2011). City Manager Campbell noted the match
was 10% and was already included in the budget.**

Motion/Second: Joh/Shupe, to pass:

**Resolution No. 2011-223, A RESOLUTION AUTHORIZING THE MAYOR TO
EXECUTE A GRANT CONTRACT BETWEEN THE CITY OF KINGSFORT AND THE
TENNESSEE DEPARTMENT OF TRANSPORTATION TO RECEIVE FEDERAL
TRANSIT ADMINISTRATION SECTION 5303 PLANNING FUNDS FOR USE BY THE
KINGSFORT AREA METROPOLITAN TRANSPORTATION PLANNING
ORGANIZATION**

Passed: All present voting "aye."

**2. Consideration of a Resolution Authorizing the Mayor to
Execute a Contract between the City of Kingsport and the Tennessee Department
of Transportation for Maintenance Activities Performed on Designated State
Highways and for Mowing and Litter on J. B. Dennis (AF: 104-2011). Mayor Phillips
noted the City is only reimbursed for mowing Stone Drive six times for the entire year.**

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City Manager Campbell stated this is an annual contract and the City is never reimbursed for the entire cost.

Motion/Second: Parham/ Joh, to pass:

Resolution No. 2011-224, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR FISCAL YEAR 2012 BETWEEN THE CITY OF KINGSFORT AND THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF MAINTENANCE ACTIVITIES PERFORMED ON DESIGNATED STATE HIGHWAY ROUTES LOCATED IN THE KINGSFORT CITY LIMITS

Passed: All present voting "aye."

3. Consideration of a Resolution Authorizing the Bid for the Purchase of One (1) Diesel-Powered Track Excavator to Power Equipment Co., Inc. (AF: 114-2011). City Manager Campbell pointed out there was very aggressive bidding on this key piece of equipment for the Water and Sewer Department.

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2011-225, A RESOLUTION AWARDING THE BID FOR PURCHASE OF ONE DIESEL POWERED TRACK EXCAVATOR TO POWER EQUIPMENT CO. INC, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

4. Consideration of a Resolution to Authorize the Mayor to Sign a Memorandum of Understanding to Participate in an Encouraging Innovations Grant Project (AF: 106-2011). City Manager Campbell explained this was over and above the previously awarded Byrne grant to help staff study the best methods to reduce crime. There is no match required.

Motion/Second: Shupe/Parham, to pass:

Resolution No. 2011-226, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING TO PARTICIPATE IN THE ENCOURAGING INNOVATIONS GRANT PROJECT THROUGH THE TENNESSEE OFFICE OF CRIMINAL JUSTICE-BYRNE TARGETED CRIME REDUCTION GRANT

Passed: All present voting "aye."

5. Consideration of a Resolution Approving a Subcontract with Frontier Health, Inc. to Provide Offender Intervention Services for a Community Crime Reduction Byrne/JAG Grant and Authorize the Mayor to Sign All Documents Necessary to Execute (AF: 116-2011). City Manager Campbell noted this was the second of several forthcoming subcontracts associated with the previously awarded Byrne grant.

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Motion/Second: Munsey/Shupe, to pass:

Resolution No. 2011-227, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SUBCONTRACT WITH FRONTIER HEALTH TO PROVIDE OFFENDER INTERVENTION SERVICES FOR A COMMUNITY CRIME REDUCTION/ BYRNE JAG GRANT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CONTRACT

Passed: All present voting "aye."

6. Consideration of a Resolution Approving an Agreement with Kingsport Hotel, LLC and Authorizing the Mayor to Execute the Agreement (AF: 105-2011). City Manager Campbell stated this was a trade-off to fix the restrooms while the restaurant was under construction at Meadowview.

Motion/Second: Munsey/Parham, to pass:

Resolution No. 2011-228, A RESOLUTION APPROVING AN AGREEMENT WITH KINGSFORT HOTEL, LLC FOR ACCORD AND SATISFACTION FOR ANY CLAIM KINGSFORT HOTEL, LLC MAY CLAIM FOR ANY INTERFERENCE WITH THE CATTAILS RESTAURANT DURING THE CONSTRUCTION OF THE EXECUTIVE CONFERENCE CENTER AND CONVENTION CENTER AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

7. Consideration of a Resolution Authorizing the Mayor to Renew Long-Term Disability Insurance Coverage with Reliance Standard Insurance Company for Employee Long-Term Disability Insurance (AF: 117-2011). City Manager Campbell provided details on this item, noting the premium was a 50/50 match and was a good benefit for employees who needed it. Mayor Phillips clarified the City is renewing the plan that is already in place.

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2011-229, A RESOLUTION APPROVING RENEWAL OF THE LONG-TERM DISABILITY INSURANCE COVERAGE WITH RELIANCE STANDARD INSURANCE COMPANY AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE RENEWAL OF THE AGREEMENT

Passed: All present voting "aye."

8. Consideration of a Resolution Authorizing the Mayor to Renew Insurance Coverage with Dearborn National/Fort Dearborn Life Insurance Company for Employee Life Insurance (AF: 118-2011). City Manager Campbell noted there was actually a reduction in the rate and was another important benefit for employees.

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Motion/Second: Munsey/Parham, to pass:

Resolution No. 2011-230, A RESOLUTION APPROVING RENEWAL OF THE INSURANCE COVERAGE AGREEMENT WITH DEARBORN NATIONAL/FORT DEARBORN LIFE INSURANCE COMPANY FOR EMPLOYEE LIFE INSURANCE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE RENEWAL OF THE AGREEMENT

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

The following two items were considered under one motion.

1. Consideration of an Appointment to the Kingsport Board of Zoning Appeals (AF: 107-2011).

Motion/Second: Munsey/Joh, to approve the following:

APPOINTMENT OF MR. BILL SUMNER TO SERVE ON THE **BOARD OF ZONING APPEALS** EFFECTIVE IMMEDIATELY AND EXPIRING ON FEBRUARY 1, 2016. MR. SUMNER WILL COMPLETE THE UNEXPIRED TERM OF MR. AL CRYMBLE.

Passed: All present voting "aye."

2. Consideration of Appointments to the Kingsport Library Commission (AF: 103-2011).

Motion/Second: Munsey/Joh, to approve the following:

APPOINTMENTS OF MR. JOHN DEMUTH AND MR. REGGIE MARTIN TO SERVE ON THE **KINGSPORT LIBRARY COMMISSION**. MR. DEMUTH'S APPOINTMENT WILL BE EFFECTIVE IMMEDIATELY AND EXPIRING ON APRIL 1, 2014 (REPLACING MS. GAIL PRESLAR). MR. MARTIN'S APPOINTMENT WILL BE EFFECTIVE IMMEDIATELY AND EXPIRING ON MARCH 31, 2014 (REPLACING MS. BARBARA GOODLETT).

Passed: All present voting "aye."

VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: Parham/ Joh, to adopt:

1. Consideration of an Ordinance to Amend Section 46-63 of the Code of Ordinances Regarding the Fire Prevention Code Adopted by Reference (AF: 102-2011). City Manager Campbell clarified this issue was regarding how fireworks were displayed.

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Adopt:

Ordinance No. 6080, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 46-63 REGARDING AMENDMENTS TO THE FIRE PREVENTION CODE AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Munsey, Parham, Shupe and Phillips voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. City Manager Campbell pointed out that the Kingsport Veterans Memorial was recognized in an article in the spring edition of *Graniteer* magazine.

B. MAYOR AND BOARD MEMBERS. Alderman Shupe stated he has been honored to serve as Alderman for the past four years and would feel privileged to serve four more.

Alderman Joh mentioned we are currently five inches above the average rainfall and is praying for sun. She also noted the first downtown concert went well and hopes it continues. She further stated she has been hearing some good comments about Kingsport.

Alderman Parham commented on the recent Racks by the Track event, noting 5000 to 6000 attendees, several of whom were from out of town. He commended and congratulated Vice-Mayor Mallicote and Mr. James Phillips on their efforts.

Vice-Mayor Mallicote recognized the volunteers from several organization as well as city employees who assisted with this event, noting it was a true community effort.

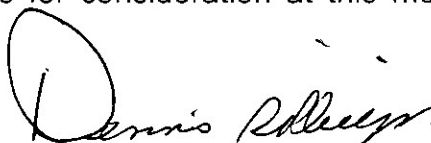
Mayor Phillips pointed out the downtown merchants also played a large role. He further stated the Board was very receptive to having activities for young people to participate in. Mr. Phillips also mentioned the new Food City ribbon cutting would be at 9:00 a.m. on Thursday morning, snow or shine. The Mayor also thanked the current alderman candidates, noting there were no negative runners.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 7:50 p.m.


ANGELA MARSHALL
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor